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-- REMARKS --

Claims 1-17 remain under consideration. Applicants thank Examiner Bonshock and Examiner Bayerl for their courtesies in the telephonic interview of May 24, 2004, but regret that interview was not successful in reaching agreement.

A. The Examiner objected to claim 17 for an informality

The objection to claim 17 is traversed. Applicants are unable to locate the allegedly informal "trans fer" word in the claim. To the extent that the Examiner's version contains such an informality, Applicants authorize the Examiner to make an Examiner's amendment to amend "trans fer" to read "transfer". Applicants state that such an amendment would not be a statutory amendment to claim around any reference and claim any and all equivalents of the unamended claim. Withdrawal of the objection to claim 17 is requested.

B. The Examiner rejected claims 1-17 as anticipated by Johnson.

The rejection of claims 1-17 as anticipated under 35 U.S.C §102(e) over Johnson is traversed. In order to maintain this §102(e) rejection, each and every element of the claimed invention must be disclosed in as great detail by the reference. Because the reference does not disclose each and every element, this rejection must fall.

At a minimum, Johnson does not disclose "modifying a display position indicator on a display screen," as claimed in independent claims 1, 9, and 17. At most, Johnson discloses that visual feedback may be desirable during data transfer, but Johnson does not disclose the claimed element. In column 3, lines 20-25, Johnson discloses that "[V]isual feedback while mouse button 19 is down includes generation of a text object, snapping the text object to the

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cursor, flashing the insertion caret at location under cursor [sic] and moving the text object with the cursor." Johnson defines "text object" in column 4, lines 22-24 as "a visual representation of selected text 30, which may or may not include all of selected text 30."

As defined in the specification, however, a display position indicator is an indicator for indicating the completion level of the data transfer. For example, on page 4 of the specification, a display position indicator may be an indicating bubble, as depicted in FIG. 1. The indicating bubble fills in to indicate the status of the transfer. See, specification at pages 4-6.

Thus, Johnson discloses that a visual cue is provided by moving the text block, i.e. selected text 30 and see Johnson, FIGS. 3A-3E. In contrast, however, the instant application claims "modifying a display position indicator" – an element not disclosed by Johnson. See, for example, the illustrative display position indicator illustrated in FIG. 4. In another example, see the display position indicator illustrated in FIG. 3 – a representative portion of the data grows in relative size during the data transfer. See also, the specification at page 6, line 15 to page 7, line 14.

Because Johnson does not disclose each and every element of the inventions claimed in claims 1, 9 and 17, withdrawal of the 102(e) rejections to those claims is requested. Furthermore, withdrawal of the rejections to claims 2-8 and 10-16 is requested, as those claims depend, directly or indirectly, from claims 1 or 9, respectively and are therefore patentable over the references for at least the same reasons as claims 1 and 9.

However, in addition, Applicants traverse the Examiner's statement that the "text string could be loaded in an indicator bubble instead of a square as taught by Johnson as this is a design choice." Johnson does not disclose an indicator bubble, much less teach or suggest such an element, and Applicants dispute the characterization as a design choice. Indeed, Johnson does not even disclose or teach inserting the text block into a "square" as suggested by the Examiner. The Examiner's citations to Johnson simply do not support his

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assertions. Johnson does not disclose each and every element claimed in claims 3 and 11, i.e. "to a position indicator with a reduced object in an indicator bubble" and Applicant requests the withdrawal of the rejections to claims 3 and 11 for at least this additional reason.

With respect to claims 4 and 12, Johnson does not disclose "reducing a marked object to a reduced object and moving the reduced object through the display position indicator into an indicator bubble." Applicant first notes that the Examiner is citing 102(e) against these claims, while couching the rejection in terms of the teachings of Johnson. Applicant first posits that the teachings of Johnson are not relevant to 102(e), as only elements that are actually disclosed by the reference are germane to an anticipation rejection. However, Johnson does not teach or suggest, much less disclose the claimed element. There is no disclosure or teaching in Johnson regarding reductions of the size of the object, nor moving a reduced object through a display position indicator. Withdrawal of the rejections to claims 4 and 12 is requested.

Claims 5 and 13 depend from claims 4 and 11 and are therefore allowable over the references for at least the same reasons as claims 4 and 11. However, Applicants also note that the Examiner's allegations of the *teachings* of Johnson are not germane to his *anticipation* rejections of those claims. In addition, Johnson fails to disclose, teach or suggest, "moving the marked object toward the display position indicator while the object is being reduced." Not only does Johnson not disclose or teach that an object may be marked, Johnson does not disclose, teach or suggest that the marked object may be reduced. Withdrawal of the rejections to claims 5 and 13 is requested.

Claims 6 and 14 require "changing the display position indicator with a reduced object in an indicator bubble to a position indicator without a reduced object in an indicator bubble" which is not disclosed by Johnson. Applicants note that the Examiner's allegations of the *teachings* of Johnson are not germane to his *anticipation* rejections of those claims. Johnson does not disclose, teach, or suggest either a marked object, or reducing a marked object. Withdrawal of the rejections to claims 6 and 14 is requested.

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Claims 7 and 15 require 'moving a reduced object... expanding the reduced object, and inserting the expanded object,' which is not disclosed, taught or suggested by Johnson. Applicants note that the Examiner's allegations of the *teachings* of Johnson are not germane to his *anticipation* rejections of those claims. Johnson does not disclose, teach or suggest a reduced object, much less expanding the reduced object or inserting the expanded object. Withdrawal of the rejections to claims 7 and 15 is requested.

Claims 8 and 16 require "moving the expanding reduced object towards a insertion marker while the reduced object is expanded." Johnson does not disclose, teach or suggest a reduced object; much less moving a reduced object, or moving the reduced object while it is expanding, nor an insertion marker. Applicants note that the Examiner's allegations of the *teachings* of Johnson are not germane to his *anticipation* rejections of those claims. Withdrawal of the rejections to claims 8 and 16 is requested.

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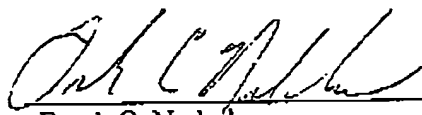
CONCLUSION

The Applicants respectfully submit that claims 1-27 fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

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Respectfully submitted,
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